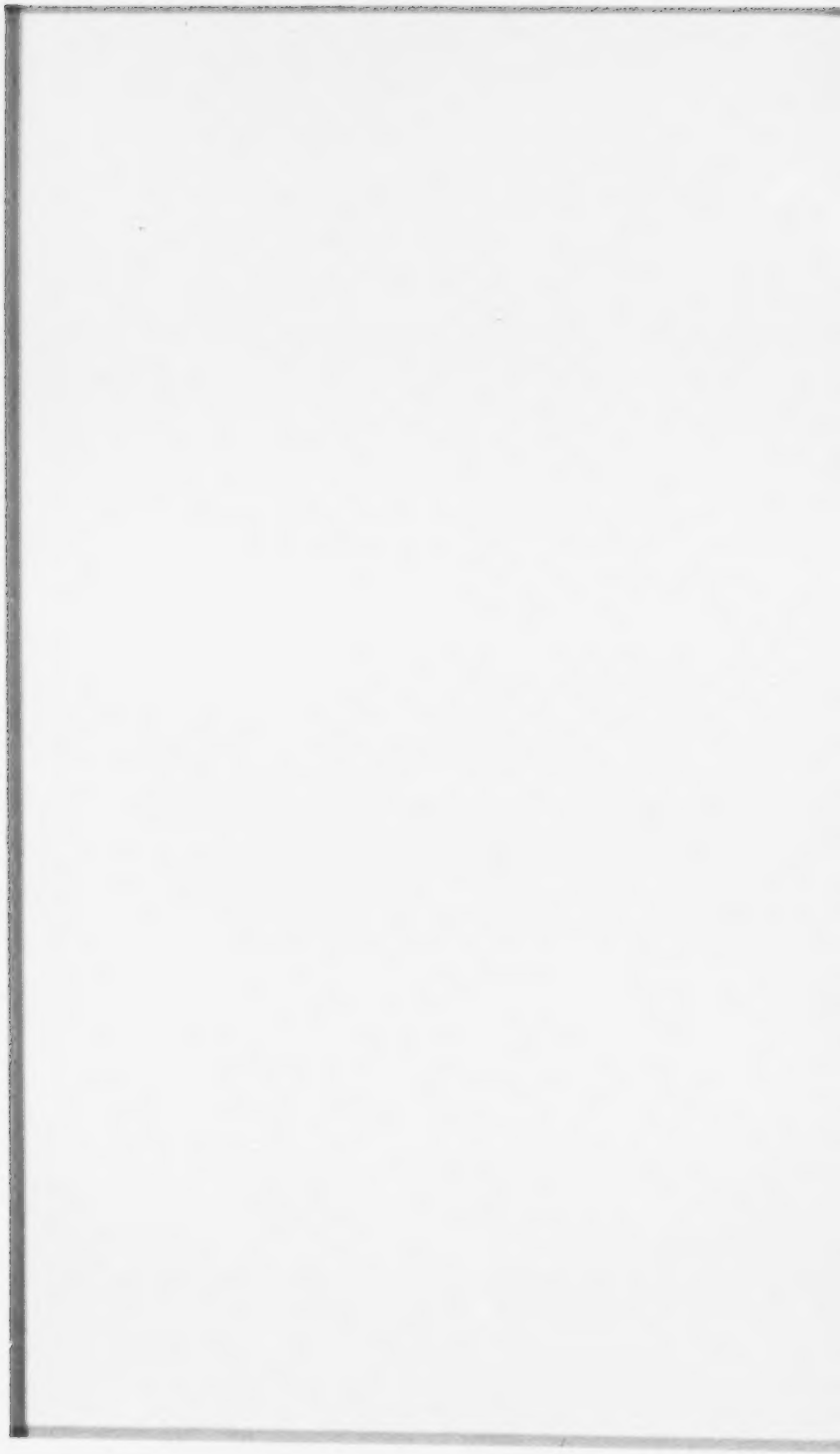

VII.

CONCLUSION.

It is therefore respectfully submitted that this case is one calling for the exercise by this Court of its supervisory powers in order that the errors herein pointed out may be corrected, that the application of Sec. 48 of the Judicial Code may be authoritatively defined, and that the judgment of the Circuit Court of Appeals be reversed and the judgment of the District Court affirmed in order that justice may be done to the Cross-Petitioners; and that to such end a writ of certiorari should be granted, and this Court should review the decision of the United States Circuit Court of Appeals for the Second Circuit and finally reverse it.

Respectfully submitted,
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APPENDIX.

Sec. 48 of the Judicial Code (U. S. C. A., Title 28, Section 109).

"In suits brought for the infringement of letters patent the district courts of the United States shall have jurisdiction, in law or in equity, in the district of which the defendant is an **inhabitant,**

or in any district in which the defendant, whether a person, partnership, or corporation, shall have committed acts of infringement and have a regular and established place of business. If such suit is brought in a district of which the defendant is not an inhabitant, but in which such defendant has a regular and established place of business, service of process, summons, or subpoena upon the defendant may be made by service upon the agent or agents engaged in conducting such business in the district in which suit is brought." (Emphasis ours.)